

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
THOMAS EDWARD HAWKINS and ) CASE NO. 07-20904 JPK  
ANN MARIE HAWKINS, ) Chapter 7  
 )  
Debtors. )

ORDER FOR HEARING

This case was initiated by a voluntary petition filed on April 16, 2007 under Chapter 13. The case was converted to a case under Chapter 7, pursuant to notice filed by the debtors on February 20, 2009, by an order entered on February 23, 2009. On April 15, 2009, the Chapter 7 Trustee initiated an adversary proceeding requesting that any discharge be denied to the debtors due to their non-entitlement to discharge pursuant to 11 U.S.C. § 727(a)(8). On May 20, 2009, a document entitled "United States Trustee's Motion to Approve Agreed Order Converting Debtors' Case to Chapter 13" was filed, and on May 22, 2009, a proposed form of agreed order with respect to that motion was filed. The result of the United States Trustee's motion would be to re-convert this case from a case under Chapter 7 to a case under Chapter 13, after it had been converted initially from a Chapter 13 case to a Chapter 7 case. The court has previously determined that 11 U.S.C. § 706(a) precludes the "reconversion" of a Chapter 7 case to a Chapter 13 case if the Chapter 7 case arises from conversion of a Chapter 13 case to a case under Chapter 7; see, *In re Holloway*, case number 05-62794 [docket entry #32]; *In re White*, case number 05-64004 [docket entry #95].

IT IS ORDERED that a hearing will be held on **July 15, 2009, at 10:15 A.M.** with respect to the relief requested by the motion filed by the United States Trustee.

Dated at Hammond, Indiana on June 19, 2009.

/s/ J. Philip Klingeberger  
J. Philip Klingeberger, Judge  
United States Bankruptcy Court

Distribution:  
Debtors, Attorney for Debtors, Trustee, US Trustee